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APPLICATION NO.	FILI	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,146	10	/08/2001	Joseph Mosher	G&C 119.10-US-01	5595
22462	7590	12/01/2005		EXAMINER	
GATES &			LAM, WAI YIP		
HOWARD I 6701 CENT		WEST, SUITE 105	ART UNIT	PAPER NUMBER	
LOS ANGE	LOS ANGELES, CA 90045			2614	
				DATE MAILED: 12/01/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	09/973,146	MOSHER ET AL.					
Office Action Summary	Examiner	Art Unit					
	Wai Lam	2614					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	I. nely filed the mailing date of this communication. D (35 U.S.C. § 133).					
Status							
1) Responsive to communication(s) filed on							
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•	S) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.					
Disposition of Claims							
 4) Claim(s) 1-19 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) 1-19 is/are rejected. 7) Claim(s) is/are objected to. 							
8) Claim(s) are subject to restriction and/or	r election requirement.						
Application Papers							
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the Replacement drawing sheet(s) including the correction of the output of of the o	epted or b) objected to by the Idrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).					
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National Stage					
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	4) Interview Summary Paper No(s)/Mail Di 5) Notice of Informal P						
Paper No(s)/Mail Date <u>07022002</u> .	6) Other:	•••••••					

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 1. Claims 1 10, 12 –14, 17, 18, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,481,010 (Nishikawa et al.).

As to claim 1, Nishikawa et al. teaches a method organizing access to various multimedia services (Column 1, lines 59 – 64, Column 3, lines 26 – 33). Nishikawa et al. teaches a method and apparatus of an integrated system that provides a display of satellite broadcast system (DSS), Internet web sites, and local broadcast channels. This reads on the claimed multimedia services.

Nishikawa et al. also teaches the method comprising the step of defining a multiple axis framework. Nishikawa et al. teaches a framework that comprises three axes (mode, theme, and provider). The mode axis is defined as the selection between different physical networks including Internet and broadcast (local and satellite broadcast)(Column 3, lines 61 – 67, Column 4, lines 1 – 4). Nishikawa et al. also teaches wherein the user can select a theme (category)

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axis that facilitates the user's navigation through DSS channels by filtering programs into pre-selected categories (Figure 15, Column 15, lines 10 – 19). Nishikawa et al. further teaches a provider axis that allows the user to selectively choose services from a specific provider source (Figure 14, Column 15, lines 12 – 15). Figure 14 shows different provider sources that the user can choose from within a specific theme.

Nishikawa et al. also teaches the method comprising the step of locating each said multimedia service within said framework and allowing a user to select a desired one of said multimedia services by identifying coordinates with respect to one of said axes. Nishikawa et al. teaches that in the mode axis, the integrated receiver (DSS/WebTV receiver 12 in Figure 1) can receives local broadcast signal from local programming station, a digital bit-stream from DSS antenna, or an Internet signal from the Internet service provider (Column 3, lines 61 - 67, Column 4, lines 1 - 4). When a user chooses Internet related icons, Internet web page data from storage device and carries out functions that correspond to the selected icon (Column 11, lines 1-4). Since some of the data is downloaded by DSS processing element 200 in Figure 2, (Column 11, lines 4 -6), the requested data must be located, either from the DSS service provider or the Internet service provider. Nishikawa et al. also teaches when a user chooses the category icon (theme axis), the user can locate programs specific to the selected category. Furthermore, the DSS processing element 200 in Figure 2A locates the pre-selected categories for presentation to the user (Column 15, lines

10 - 15). Nishikawa et al. further teaches that in the provider mode, the user can choose between different providers (channels) and the DSS processing element 200 in Figure 2 locates (tunes) to the channel specified by the user (Column 7, 10 - 11, 32 - 34). Therefore, the claimed limitation is met.

As to claim 2, see rejection of claim 1 for the corresponding limitation and note that Nishikawa et al. also teaches wherein various multimedia services include services provided via various communication networks (Column 3, lines 48 – 54, Figure 1). Figure 1 shows that the Unit 12 receives multimedia services signals from Unit 20, 24, and 28 through various input ports 18, 22, 26, respectively. Therefore, these signals are transmitted through various communications network.

As to claim 3, see rejection of claim 2 and note that Nishikawa et al. also teaches wherein access is integrated to make content planes (services provided by different axis as discussed in claim 1) transparent to user. Nishikawa et al. teaches that the DSS/WebTV receiver 12 in Figure 1 provides a display of DSS programs, Internet websites, and local broadcast channels in a seamless fashion (Column 1, lines 59-65). This reads on making the content planes transparent to user). Note that converging network is the integration of different networks as discussed in claim 2.

As to claim 4, see rejection of claim 2 and note that Nishikawa et al. also teaches whereby end users do not have to shift paradigms, or be aware of which plane they are on and where they want to go, in order to change content

selection. Nishikawa et al. teaches in Figure 9 that a user can access a plurality of features in the axes as discussed in claim 1 via a centralized GUI interface. This reads on the user not having to shift to a different paradigm when accessing information from different networks (Column 11, lines 57 – 67, Column 12, lines 1 – 6). The user can simply select an icon and the DSS/WebTV receiver can retrieve information from different planes (Column 10, lines 63 – 67, Column 11, lines 1 – 13). This reads on the user not have to be aware of which plane they are on and where they want to go in order to change content selection.

As to claim 5, see rejection of claim 2 and note that wherein said multiple axes comprise three axes are already discussed in claim 1.

As to claim 6, see rejection of claim 5 and note that wherein said three axes comprise: mode, provider, and theme axes are already discussed in claim 1.

As to claim 7, see rejection of claim 6 and note that Nishikawa et al. also teaches comprising the step of presenting different layers (layers of interactivity) of said multiple axis framework to said user. Nishikawa et al. teaches that in the mode axis, the user can choose from different physical networks as discussed in claim 1. When the user chooses Internet network, the Internet processing element generates a WebTV homepage and a list of preferred websites that are downloaded from the Internet (Column 12, lines 57 – 64). When the user chooses the DSS network, the user can choose the guide icon, whereby the user can select from one or more of options 584 – 590 in Figure 9 to display

programming information in a predetermined manner (Column 12, lines 50 - 57). In the category (theme) axis, the user can choose from different categories

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In the category (theme) axis, the user can choose from different categories (theme). Further, when the user chooses the movie icon, the user is presented with another layer of interactivity whereby the user can choose which channel to watch in the filtered list (Column 15, lines 10-23). In the provider axis, provider sources (channel sources) have many layers (layers of interactivity). When the user selects the guide icon, the user has the option to view the provider sources in the EPG (as shown in Figure 13) option, the station index option, the category option, an alphabetical listing option, and others option (Column 12, lines 50-55). All of the axes in the claimed framework discussed above have many

As to claim 8, see rejection of claim 7 and note that Nishikawa et al. teaches wherein said step for presenting comprises the step of presenting different layers of said multiple axis framework to said user via a graphical user interface (Figure 9 and Column 11, 57 – 58).

different layers (layers of interactivity); therefore, the claimed limitation is met.

As to claim 9, see rejection of claim 7 and note that Nishikawa et al. also teaches wherein the ordering of said may be varied. Nishikawa et al. teaches in the mode axis, the user is provided with a choice to access the Internet or select a channel for viewing (Column 10, lines 40 - 41). The user can choose from the DSS or local programming provider or the Internet provider. Therefore, the ordering of the mode layer (which mode the user chooses) can be varied. In the theme axis, the user can choose from pre-selected categories ranging from

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sports, movies, special, attractions, drama, and education (Column 15, lines 16 – 18). Therefore, the user can choose any category at the theme layer thereby filtering programs listing for presentation (layer where the user has chosen a specific theme) (Column 15, lines 10 – 15). Therefore, the theme axis layers (layers of interactivity) can be varied. In the provider axis, the user can choose from different options to interact with the provider sources (channel sources) via the guide icon (Column 12, lines 50 –55). Therefore, the layers (layer of interactivity) are varied according to user selection.

As to claim 10, see rejection of claim 9 and note that Nishikawa et al. also teaches further comprising the steps of responding to a desired multimedia service being selected a user (Column 12, lines 31 – 32), by switching the input of said selected service to an output (Column 12, line 33); and converting the format of said selected service as required to suit said output (Column 12, lines 33 – 38). The data the user requested is downloaded from the DSS element and stored in a hard drive (HDD) and then the data is retrieved from the HDD for output to the user. Therefore, the data is downloaded and converted to an intermediate format that can be stored on the hard drive, then when the user requests the data, the data is converted to a format that is suited for output to the user.

As to claim 12, see rejection of claim 10 and note that the converting to an intermediate format is already discussed in claim 10.

As to claim 13, see rejection of claim 12 and note that the user is able to purchase a program via the TV planner icon (Column 13, lines 26 – 28). When the user selects the purchase icon, the user is presented with the cost, data, and time of the purchased program. This reads on the step of handling the logistics of billing. The user is also able to review purchases made by selecting the review purchase icon (Column 13, lines 36 - 40). This reads on the step of monitoring the usage of service. Since the two services mentioned above are processed by the receiver (receiver 12 in Figure 1), the services are handled in an integrated manner.

As to claim 14, see rejection of claim 2 and note that Nishikawa et al. also teaches wherein said various communication networks include an internet network (Column 3, lines 50 – 51).

As to claim 17, see rejection of claim 2 and not that Nishikawa et al. also teaches wherein said various communication networks include a broadcast network (Column 3, lines 51 – 53).

As to claim 18, Nishikawa et al. teaches a multimedia server (DSS/WebTV receiver 200 in Figure 2).

Nishikawa et al. also teaches the means for defining a multiple axis framework by defining the framework in mode, theme, and provider axis as discussed in claim 1.

Nishikawa et al. also teaches means for locating each said multimedia service within said framework and allowing a user to select a desired multimedia services by identifying coordinates with respect to said axes. The means for accomplishing the above is satisfied by substantially following Figure 3A, 3D, and 3G of the present application.

Firstly, Nishikawa et al. teaches that a user accesses the appliance (DSS/WebTV receiver 200 in Figure 2) and uses the software by pressing the home screen (Figure 7, Column 10, lines 36 – 53). Nishikawa et al. also teaches the user is offered either DSS programming or Internet access. When the user chooses guide icon (Column 12, lines 50 – 55), the user is choosing to view a TV program from the DSS, corresponding to step 42 in Figure 3A (choosing a format) of the present application.

Moving on to Figure 3C of the present application, Nishikawa et al. teaches the user can then choose a category (theme) (Column 12, 50 - 55) under the options presented when the guide icon is chosen. The user is choosing a theme corresponding to step 76 of Figure 3D in the present application.

Finally, Nishikawa et al. teaches the user can choose a specific provider (channel) through the filtered list of themes (Column 15, lines 10 – 15), corresponding to step 128 in Figure 3G (starting with step 124) in the present application.

The selection process of Nishikawa et al. discussed above follows the means for locating each said multimedia service within said framework and

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means for allowing a user to select a desired multimedia service by identifying coordinates with respect to all three axes, therefore, the claim limitations are met.

As to claim 19, see rejection of claim 1 for the corresponding limitations and note that the End User terminal is Display Unit 16 in Figure 1 and the service provider is DSS/WebTV receiver 12 in Figure 1. The DSS/WebTV receiver is a service provider because it provides the user with information via the end user terminal (display unit).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,481,010 (Nishikawa et al.) in view of U.S. Patent No. 5,710,941 (Parry).

As to claim 11, Nishikawa et al. teaches all the limitations corresponding to claim 10 as discussed above.

Nishikawa et al. fails to teach wherein the step of converting is performed using a software driver with a common API.

However, Parry teaches a method of reading data from a hard disk drive via an application programming interface (API) of the operating system (Column 6, lines 66 - 67, Column 7, lines 1 - 10). As discussed in claim 10, data in the

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intermediate format is read from a hard disk drive and converted to an output. Therefore, this reads on the presently claimed limitation because the data requested is being converted from a hard drive format to an output format accessible by the file system through the protected hard disk driver (Column 7, lines 16 - 22, 28 - 32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the method of accessing a hard disk drive of Nishikawa et al., using the method of accessing the hard disk drive using protected mode hard disk driver of Parry, for the purpose of yielding better hard disk drive performance and achieving higher data transfers (Column 7, lines 40 – 54).

3. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,481,010 (Nishikawa et al.) in view of U.S. Patent No. 5,247,347 (Litteral et al.).

As to claim 15, Nishikawa et al. teaches all the limitations corresponding to claim 2.

Nishikawa et al. fails to teach wherein said various communications network include a video on demand service.

However, Litteral et al. teaches a video on demand service platform that is transmitted over public switched telephone network (PSTN) by using an ADSL interface unit (Column 4, lines 47 – 49, Column 7, lines 27 – 29, 65 – 66).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify DSS/WebTV receiver of Nishikawa et al., using the ADSL interface for providing video on demand service over PSTN of Litteral et al., for the purpose of using existing components (lines) of the PSTN, thereby saving cost (Column 7, lines 28).

As to claim 16, Nishikawa et al. teaches all the limitations corresponding to claim 2.

Nishikawa et al. fails to teach wherein said various communications network include a public switched telephone network (PSTN).

However, the usage of a PSTN and the motivation for using PSTN has already been discussed in claim 15.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai Lam whose telephone number is (571) 272-2827. The examiner can normally be reached on Monday - Friday 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JOHN MILLER

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